AO 458 (Rev. 10/95) Appearance

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

APPEARANCE

Plaintiff,

Case No. 08 Civ. 10791 (LLS)

-against-

BERNARD L. MADOFF and BERNARD L. MADOFF INVESTMENT SERCURITIES, LLC,

Defendants.

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for Alan Nisselson, chapter 7 Trustee of Bernard L. Madoff.

I certify that I am admitted to practice in this court.

Date: April 29, 2009

Signature

Howard L. Simon

HS-6362

Print Name Bar Number

Windels Marx Lane & Mittendorf, LLP

156 West 56th Street

Address

New York, New York 10019

City State Zip Code

212-237-1113

212-262-1215

Phone Number

Fax Number